M. GALE LEMMON #4363 Assistant Attorney General MARK L. SHURTLEFF #4666 Attorney General Attorneys for Utah Insurance Department State Office Building, Room 3110 Salt Lake City, UT 84114 Telephone (801) 538-3872

# BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT: : NOTICE OF INFORMAL : ADJUDICATIVE PROCEEDING

UTAH INSURANCE DEPARTMENT : AND ORDER

RESPONDENT: :

MAYNARD G. STEFFENS DOCKET No. JBB. K57 LC

1231 Eliza St. : Green Bay, WI 54301-9736 :

License No. 253043 : Enf. Case No. <u>2287</u>

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63-46b-3 and Utah Administrative Code Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

#### **FINDINGS OF FACT**

1. Respondent is a non-resident insurance agent authorized to do the business of insurance in the State of Utah holding License number 253043.

- 2. Respondent failed submitted an application for a non-resident insurance agent license on July 11, 2008.
- 3. In his application, Respondent answered "No" to the question "Have you ... ever been involved in an administrative proceeding regarding any professional or occupational license?"
- Based on his application, Respondent's license was issued by the department effective
  July 7, 2008.
- 5. At the time he submitted his application, Respondent knew that his insurance agent's licenses had previously been revoked in Wisconsin on May 11, 2007, (later reinstated on April 29, 2008); in Kansas September 9, 2007; in South Dakota on October 24, 2007; and in Ohio on May 6, 2008.
- 6. Respondent's license in his state of residence was revoked for a delinquent tax account, and other states revoked for failure to maintain a license in the state of residence.

Having entered his Findings of Fact, the Commissioner now enters his:

#### **CONCLUSION OF LAW**

1. In answering "No" in his application for a license to the question regarding administrative action against professional licenses when such was not the case, Respondent violated Utah Code Annotated §§ 31A-2-202(6) and 31A-23a-105(2).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

#### **ORDER**

#### IT IS HEREBY ORDERED:

- 1. Respondent is assessed an administrative forfeiture in the amount of \$500.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.
- 2. Respondent's insurance agent's license is placed on probation for a period of 12 months beginning with the date this Order becomes final. The terms of probation are that Respondent shall have no further violations of the Utah Insurance Code or Rules or of any Order of the Commissioner.
- 3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

#### **NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

Questions regarding this Adjudicative Proceeding should be directed to Richard Grieser, at the Utah Insurance Department (801) 537-9057.

DATED THIS 15 day of December, 2008.

D. KENT MICHIE

INSURANCE COMMISSIONER

MARK KLEINFIELD, J.D.

ADMINISTRATIVE LAW JUDGE

Utah Insurance Department

State Office Building, Room 3110

Salt Lake City, Utah 84114

Telephone (801) 538-3800

## **CERTIFICATE OF MAILING**

I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

### NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER

To the following:

Maynard G. Steffens 1231 Eliza St. Green Bay, WI 54301-9736

DATED this 15<sup>th</sup> day of December, 2008.

Linda Hardy

Court Clerk

Utah Department of Insurance State Office Building, Room 3110 Salt Lake City, UT 84114-6901

# **UTAH Invoice**

Printed Date: December 15, 2008

Invoice Date: December 15, 2008

Balance Due: \$500.00

Due Date: January 10, 2009

Invoice ID: 399412

STEFFENS MAYNARD G UNITED HEALTHCARE SERVICES INC 3100 AMS BLVD GREEN BAY WI 54313

**Item Description** 

Monetary Penalty Individual

Amount

\$500.00

Original Amount Due

\$500.00

#### UTAH Invoice

Printed Date: December 15, 2008

Invoice Date: December 15, 2008

Balance Due: \$500.00

Due Date: January 10, 2009

Invoice ID: 399412

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department 3110 State Office Building Salt Lake City, UT 84114-6901